

STATE OF MISSOURI)
)ss
CITY OF ST. LOUIS)

I, THOMAS KLOEPPINGER, Clerk of the Circuit Court within
and for the City of St. Louis, State of Missouri, do hereby certify that
the foregoing are true copies of original documents on files and
recorded in my office for the following case
ENTIRE FILE

St. Louis City case number 1622-CC09937

WITNESS my hand and SEAL of said Court this 29TH day of
AUGUST, 2016.

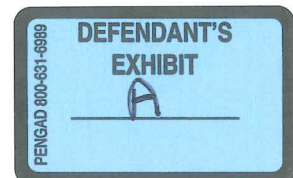
Thomas Kloeppinger

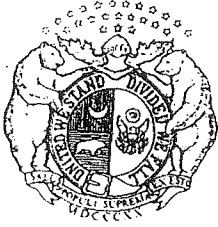
Thomas Kloeppinger
Circuit Clerk

By: *[Signature]*
Deputy Clerk



SEAL of the CIRCUIT COURT





JAMES W. MURPHY
SHERIFF
CITY OF ST. LOUIS
CIVIL COURTS BUILDING
10 NORTH TUCKER BOULEVARD
ST. LOUIS, MISSOURI 63101
622-4851

Return of Service on Summons/Petition and Subpoena

Defendant MICHAEL STELZER Doc. ID Number 16-SMCC-14455Address 10 N TUCKER DIV 8 Case Number 1622-CC09937

Executed



Summons / Petition



Subpoena

I hereby certify that I served the within summons and petition by:



Subpoena How Served: _____



Posting copy of Summons and copy of Petition, to dwelling listed on above address.



Delivering a copy of the summons and a copy of the petition, to the Defendant / Respondent

How Served: PERSONAL M/W/YS

Leaving a copy of the summons and a copy of the petition, at the dwelling place or usual abode of the Defendant/Respondent with a family member over the age of 15 years: _____



Non-Est Reason: _____

For service on a Corporation/Partnership: by delivering a copy of the summons and a copy of the petition to
☐ An Agent and/or Appointed Agent: _____ (name) _____ (title)

☐ A Partner: _____ (name) _____ (title)

☐ A Managing or General Agent: _____ (name) _____ (title)

☐ The person in charge of defendant's business office _____ (name) _____ (title)

☐ The Registered Agent: _____ (name) _____ (title)


Non-Est Reason: _____

For service on Limited Liability Company (LLC): by delivering a copy of the summons and a copy of the petition to:
☐ The Registered Agent: _____ (name) _____ (title)

☐ An Authorized Person: _____ (name) _____ (title)

☐ An Organizer: _____ (name) _____ (title)


Non-Est Reason: _____

Served at 10 N TUCKER DIV 8 (address)in (City of St. Louis), MO, on 8/17/16 (date) at 10:45A (time).
MICHAEL HUDSON
Print name of Sheriff or Server

Signature of Sheriff or Server



IN THE 22ND JUDICIAL CIRCUIT COURT, CITY OF ST LOUIS, MISSOURI

Judge or Division: BRYAN L HETTENBACH	Case Number: 1622-CC09937	Special Process Server 1 Special Process Server 2 Special Process Server 3 RECEIVED 16 AUG 16 AM 9:50 (Date File Stamp)
Plaintiff/Petitioner: JOHN WASHINGTON	Plaintiff's/Petitioner's Attorney/Address JOHN FITZGERALD WASHINGTON 3115 S. Grand SUITE 300 ST LOUIS, MO 63118	
Defendant/Respondent: JENNIFER JOYCE	Court Address: CIVIL COURTS BUILDING 10 N TUCKER BLVD SAINT LOUIS, MO 63101	
Nature of Suit: CC Other Tort		

Summons in Civil Case

The State of Missouri to: MICHAEL STELZER
Alias:

THE CIVIL COURT BUILDING
DIVISION 8
10 N TUCKER BLVD
SAINT LOUIS, MO 63101

COURT SEAL OF



CITY OF ST LOUIS

You are summoned to appear before this court and to file your pleading to the petition, a copy of which is attached, and to serve a copy of your pleading upon the attorney for Plaintiff/Petitioner at the above address all within 30 days after receiving this summons, exclusive of the day of service. If you fail to file your pleading, judgment by default may be taken against you for the relief demanded in the petition.

August 11, 2016

Date

Clerk

SHERIFF'S FEE PAID

Further Information:

Sheriff's or Server's Return

Note to serving officer: Summons should be returned to the court within thirty days after the date of issue.

I certify that I have served the above summons by: (check one)

- ☐ delivering a copy of the summons and a copy of the petition to the Defendant/Respondent.
☐ leaving a copy of the summons and a copy of the petition at the dwelling place or usual abode of the Defendant/Respondent with a person of the Defendant's/Respondent's family over the age of 15 years
☐ (for service on a corporation) delivering a copy of the summons and a copy of the petition to

_____ (name) _____ (title).

☐ other _____

Served at _____ (at address)

in _____ (County/City of St. Louis), MO, on _____ (date) at _____ (time).

Printed Name of Sheriff or Server

Signature of Sheriff or Server

Must be sworn before a notary public if not served by an authorized officer:

(Seal)

Subscribed and sworn to before me on _____ (date).

My commission expires: _____

Date

Notary Public

Sheriff's Fees

Summons \$ _____
 Non Est \$ _____
 Sheriff's Deputy Salary
 Supplemental Surcharge \$ 10.00
 Mileage \$ _____ (_____ miles @ \$ _____ per mile)
 Total \$ _____

A copy of the summons and a copy of the petition must be served on each Defendant/Respondent. For methods of service on all classes of suits, see Supreme Court Rule 54.



IN THE 22ND JUDICIAL CIRCUIT COURT, CITY OF ST LOUIS, MISSOURI

Judge or Division: BRYAN L HETTENBACH	Case Number: 1622-CC09937	Special Process Server 1
Plaintiff/Petitioner: JOHN WASHINGTON	Plaintiff's/Petitioner's Attorney/Address JOHN FITZGERALD WASHINGTON 3115 S. Grand SUITE 300 ST LOUIS, MO 63118	Special Process Server 2
	vs.	Special Process Server 3
Defendant/Respondent: JENNIFER JOYCE	Court Address: CIVIL COURTS BUILDING 10 N TUCKER BLVD SAINT LOUIS, MO 63101	
Nature of Suit: CC Other Tort		(Date File Stamp)

Summons in Civil Case

The State of Missouri to: ANGELA DARDEN		SHERIFF'S FEE PAID
Alias: 2909 LAFAYETTE AVE SAINT LOUIS, MO 63104		
	<p>You are summoned to appear before this court and to file your pleading to the petition, a copy of which is attached, and to serve a copy of your pleading upon the attorney for Plaintiff/Petitioner at the above address all within 30 days after receiving this summons, exclusive of the day of service. If you fail to file your pleading, judgment by default may be taken against you for the relief demanded in the petition.</p>	
	<p>August 11, 2016</p> <p>_____ Date</p> <p>_____ Clerk</p>	
Further Information:		

Sheriff's or Server's Return

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I certify that I have served the above summons by: (check one)

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- ☐ (for service on a corporation) delivering a copy of the summons and a copy of the petition to _____ (name) _____ (title).

☐ other _____

Served at _____ (address)

in _____ (County/City of St. Louis), MO, on _____ (date) at _____ (time).

Printed Name of Sheriff or Server

Signature of Sheriff or Server

Must be sworn before a notary public if not served by an authorized officer:

(Seal)

Subscribed and sworn to before me on _____ (date).

My commission expires: _____
Date Notary Public

Sheriff's Fees

Summons	\$ _____
Non Est	\$ _____
Sheriff's Deputy Salary	
Supplemental Surcharge	\$ 10.00
Mileage	\$ _____ (_____ miles @ \$. _____ per mile)
Total	\$ _____


A copy of the summons and a copy of the petition must be served on each Defendant/Respondent. For methods of service on all classes of suits, see Supreme Court Rule 54.



IN THE 22ND JUDICIAL CIRCUIT COURT, CITY OF ST LOUIS, MISSOURI

Judge or Division: BRYAN L HETTENBACH	Case Number: 1622-CC09937	Special Process Server 1
Plaintiff/Petitioner: JOHN WASHINGTON	Plaintiff's/Petitioner's Attorney/Address JOHN FITZGERALD WASHINGTON 3115 S. Grand SUITE 300 ST LOUIS, MO 63118	Special Process Server 2
Defendant/Respondent: JENNIFER JOYCE	Court Address: CIVIL COURTS BUILDING 10 N TUCKER BLVD SAINT LOUIS, MO 63101	Special Process Server 3
Nature of Suit: CC Other Tort		(Date File Stamp)

Summons in Civil Case

The State of Missouri to: ANGELA DARDEN Alias: 2909 LAFAYETTE AVE SAINT LOUIS, MO 63104		SHERIFF'S FEE PAID
 <p style="text-align: center;">You are summoned to appear before this court and to file your pleading to the petition, a copy of which is attached, and to serve a copy of your pleading upon the attorney for Plaintiff/Petitioner at the above address all within 30 days after receiving this summons, exclusive of the day of service. If you fail to file your pleading, judgment by default may be taken against you for the relief demanded in the petition.</p> <p style="text-align: center;">August 11, 2016</p> <p style="text-align: center;">_____ Date</p> <p style="text-align: center;">_____ Clerk</p>		
Further Information:		

Sheriff's or Server's Return

Note to serving officer: Summons should be returned to the court within thirty days after the date of issue.

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- ☐ delivering a copy of the summons and a copy of the petition to the Defendant/Respondent.
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- ☐ (for service on a corporation) delivering a copy of the summons and a copy of the petition to _____ (name) _____ (title).

☐ other _____

Served at _____ (address)

in _____ (County/City of St. Louis), MO, on _____ (date) at _____ (time).

Printed Name of Sheriff or Server

Signature of Sheriff or Server

Must be sworn before a notary public if not served by an authorized officer:

(Seal)

Subscribed and sworn to before me on _____ (date).

My commission expires: _____

Date

Notary Public

Sheriff's Fees

Summons	\$ _____
Non Est	\$ _____
Sheriff's Deputy Salary	
Supplemental Surcharge	\$ 10.00
Mileage	\$ _____ (_____ miles @ \$._____ per mile)
Total	\$ _____


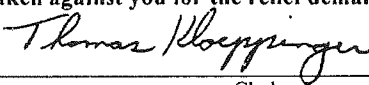
A copy of the summons and a copy of the petition must be served on each Defendant/Respondent. For methods of service on all classes of suits, see Supreme Court Rule 54.



IN THE 22ND JUDICIAL CIRCUIT COURT, CITY OF ST LOUIS, MISSOURI

Judge or Division: BRYAN L HETTENBACH	Case Number: 1622-CC09937	Special Process Server 1
Plaintiff/Petitioner: JOHN WASHINGTON	Plaintiff's/Petitioner's Attorney/Address JOHN FITZGERALD WASHINGTON 3115 S. Grand SUITE 300 ST LOUIS, MO 63118	Special Process Server 2
Defendant/Respondent: JENNIFER JOYCE	Court Address: CIVIL COURTS BUILDING 10 N TUCKER BLVD SAINT LOUIS, MO 63101	Special Process Server 3
Nature of Suit: CC Other Tort		(Date File Stamp)

Summons in Civil Case

The State of Missouri to: JIM MICHAELS Alias: THE CIRCUIT ATTORNEY'S OFFICE CARNAHAN COURTHOUSE CHILD SUPPORT UNIT 7 1114 MARKET STREET SAINT LOUIS, MO 63101 COURT SEAL OF  CITY OF ST LOUIS	<div style="border: 1px solid black; padding: 5px; text-align: center;">SHERIFF'S FEE PAID</div> <p>You are summoned to appear before this court and to file your pleading to the petition, a copy of which is attached, and to serve a copy of your pleading upon the attorney for Plaintiff/Petitioner at the above address all within 30 days after receiving this summons, exclusive of the day of service. If you fail to file your pleading, judgment by default may be taken against you for the relief demanded in the petition.</p> <p style="text-align: center;">August 11, 2016</p> <p style="text-align: center;">Date</p> <p style="text-align: center;">  Clerk </p>
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Further Information:

Sheriff's or Server's Return

Note to serving officer: Summons should be returned to the court within thirty days after the date of issue.

I certify that I have served the above summons by: (check one)

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- ☐ (for service on a corporation) delivering a copy of the summons and a copy of the petition to

_____ (name) _____ (title).

☐ other _____.

Served at _____ (address)

in _____ (County/City of St. Louis), MO, on _____ (date) at _____ (time).

Printed Name of Sheriff or Server

Signature of Sheriff or Server

Must be sworn before a notary public if not served by an authorized officer:

Subscribed and sworn to before me on _____ (date).

(Seal)

My commission expires: _____

Date

Notary Public

Sheriff's Fees

Summons	\$ _____
Non Est	\$ _____
Sheriff's Deputy Salary	
Supplemental Surcharge	\$ 10.00
Mileage	\$ _____ (_____ miles @ \$. _____ per mile)
Total	\$ _____

A copy of the summons and a copy of the petition must be served on each Defendant/Respondent. For methods of service on all classes of suits, see Supreme Court Rule 54.



IN THE 22ND JUDICIAL CIRCUIT COURT, CITY OF ST LOUIS, MISSOURI

Judge or Division: BRYAN L HETTENBACH	Case Number: 1622-CC09937	Special Process Server 1
Plaintiff/Petitioner: JOHN WASHINGTON	Plaintiff's/Petitioner's Attorney/Address JOHN FITZGERALD WASHINGTON 3115 S. Grand SUITE 300 ST LOUIS, MO 63118	Special Process Server 2
Defendant/Respondent: JENNIFER JOYCE	Court Address: CIVIL COURTS BUILDING 10 N TUCKER BLVD SAINT LOUIS, MO 63101	Special Process Server 3
Nature of Suit: CC Other Tort		(Date File Stamp)

Summons in Civil Case

The State of Missouri to: JENNIFER JOYCE

Alias:

THE CIRCUIT ATTORNEY'S OFFICE
CARNAHAN COURTHOUSE
1114 MARKET STREET ROOM 401
SAINT LOUIS, MO 63101

SHERIFF'S FEE PAID

COURT SEAL OF



CITY OF ST LOUIS

You are summoned to appear before this court and to file your pleading to the petition, a copy of which is attached, and to serve a copy of your pleading upon the attorney for Plaintiff/Petitioner at the above address all within 30 days after receiving this summons, exclusive of the day of service. If you fail to file your pleading, judgment by default may be taken against you for the relief demanded in the petition.

August 11, 2016

Date

Clerk

Further Information:

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(name) _____ (title).

☐ other _____

Served at _____ (address)

in _____ (County/City of St. Louis), MO, on _____ (date) at _____ (time).

Printed Name of Sheriff or Server

Signature of Sheriff or Server

Must be sworn before a notary public if not served by an authorized officer:

(Seal)

Subscribed and sworn to before me on _____ (date).

My commission expires: _____

Date

Notary Public

Sheriff's Fees

Summons \$ _____
 Non Est \$ _____
 Sheriff's Deputy Salary _____
 Supplemental Surcharge \$ 10.00
 Mileage \$ _____ (_____ miles @ \$._____ per mile)
 Total \$ _____


A copy of the summons and a copy of the petition must be served on each Defendant/Respondent. For methods of service on all classes of suits, see Supreme Court Rule 54.



IN THE 22ND JUDICIAL CIRCUIT COURT, CITY OF ST LOUIS, MISSOURI

Judge or Division: BRYAN L HETTENBACH	Case Number: 1622-CC09937	Special Process Server 1
Plaintiff/Petitioner: JOHN WASHINGTON	Plaintiff's/Petitioner's Attorney/Address JOHN FITZGERALD WASHINGTON 3115 S. Grand SUITE 300 ST LOUIS, MO 63118	Special Process Server 2
Defendant/Respondent: JENNIFER JOYCE	Court Address: CIVIL COURTS BUILDING 10 N TUCKER BLVD SAINT LOUIS, MO 63101	Special Process Server 3
Nature of Suit: CC Other Tort		(Date File Stamp)

Summons in Civil Case

The State of Missouri to: MICHAEL STELZER Alias: THE CIVIL COURT BUILDING DIVISION 8 10 N TUCKER BLVD SAINT LOUIS, MO 63101 COURT SEAL OF  CITY OF ST LOUIS	You are summoned to appear before this court and to file your pleading to the petition, a copy of which is attached, and to serve a copy of your pleading upon the attorney for Plaintiff/Petitioner at the above address all within 30 days after receiving this summons, exclusive of the day of service. If you fail to file your pleading, judgment by default may be taken against you for the relief demanded in the petition. August 11, 2016 Date Further Information:	<div style="border: 1px solid black; padding: 5px; text-align: center;"> SHERIFF'S FEE PAID </div> Thomas Hoepfinger Clerk
--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-----------------------------------------------------------------------------------------------------------------------------------------

Sheriff's or Server's Return

Note to serving officer: Summons should be returned to the court within thirty days after the date of issue.

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- ☐ (for service on a corporation) delivering a copy of the summons and a copy of the petition to _____ (name) _____ (title).

☐ other _____

Served at _____ (address)

in _____ (County/City of St. Louis), MO, on _____ (date) at _____ (time).

Printed Name of Sheriff or Server

Signature of Sheriff or Server

Must be sworn before a notary public if not served by an authorized officer:

(Seal)

Subscribed and sworn to before me on _____ (date).

My commission expires: _____

Date

Notary Public

Sheriff's Fees

Summons	\$ _____
Non Est	\$ _____
Sheriff's Deputy Salary	
Supplemental Surcharge	\$ 10.00
Mileage	\$ _____ (_____ miles @ \$. _____ per mile)
Total	\$ _____

A copy of the summons and a copy of the petition must be served on **each** Defendant/Respondent. For methods of service on all classes of suits, see Supreme Court Rule 54.

IN THE
MISSOURI CIRCUIT COURT
TWENTY-SECOND JUDICIAL CIRCUIT
(Saint Louis City)

John Washington,)
On his own behalf.)

Plaintiff,)

Vs.)

Michael F. Stelzer,)
Individually and in his official capacity,)

Defendant,)

Serve:)
The Civil Court Building)
Division 8)
10 N Tucker Blvd.)
Saint Louis, Missouri 63101,)

and)

Jennifer Joyce,)
Individually and in his official capacity,)

Defendant,)

Serve:)
The Circuit Attorney's Office)
Carnahan Courthouse)
Room 401)
1114 Markey Street)
Saint Louis, Missouri 63101,)

and)

Jim Michaels,
Individually and in his official capacity,

Defendant,

Serve:
The Circuit Attorney's Office
Carnahan Courthouse
Child Support Unit - 7
1114 Markey Street
Saint Louis, Missouri 63101,

and

Angela Darden,
Individually capacity,

Defendan

Serve:
2909 Lafayette Ave.
Saint Louis, Missouri 63104,

and

John Doe,
Individually and in his official capacity,

Defendant,

Hold for private service.

PETITION

COMES NOW Plaintiff and for his cause of action under Section 1983 against Jennifer Joyce, Jim Michaels, Michael F. Stelzer, Angela Darden, and John Doe, and injunctive relief against Saint Louis Circuit Attorney Jennifer Joyce, and hereby makes the following allegations, which are made upon information and belief based upon the investigation of counsel.

PARTIES

1. John Washington was and is a resident of the State of Missouri, residing in the City of Saint Louis.
2. Defendant Jennifer Joyce is being sued in both her individual and official capacities.
3. Defendant Jim Michaels is being sued in both his individual and official capacities.
4. Defendant Judge Michael Stelzer is being sued in both his individual and official capacities.
5. Defendant John Doe is being sued in both his individual and official capacities.

6. Defendant Angela Darden was and is a resident of the State of Missouri, residing in the City of Saint Louis.

7. At all times relevant to this complaint, all Defendants acted under the color of law.

JURISDICTION AND VENUE

8. This Court has jurisdiction pursuant to 28 U.S.C. § 1331 § 1343, and 42 U.S.C. §1983.

9. State courts may exercise jurisdiction over federally created causes of action as long as Congress has not explicitly or implicitly made federal court jurisdiction exclusive. *Yellow Freight System, Incorporated v. Donnelly*, 494 U.S. 820, 822 (1990).

10. Venue in this Court is proper pursuant to 28 U.S.C. § 1391(b)(1) and E.D. Mo.L.R. 2.07(A)(1),(B)(2) because at least one defendant resides in the City of Saint Louis, Missouri, and the events giving rise to this petition occurred in the City of Saint Louis, Missouri.

Judge Michael Steltzer is not entitled to Judicial Immunity.

11. Any attorney initiating any legal proceedings at the request of the Missouri Division of Child Support Enforcement shall represent the state of

Missouri and the Department of Social Services, Division of Child Support **exclusively**. § 454.513 *Missouri Revised Statute*. An attorney/client relationship **shall** not exist between the attorney and any applicant or recipient of child support enforcement services for and on behalf of a child or children. § 454.513 *Missouri Revised Statute*.

12. Under Missouri Law, any attorney initiating any legal proceedings at the request of the Missouri division of child support enforcement shall represent the state of Missouri, Department of Social Services, Division of Child Support, and not represent any applicant or recipient of child support enforcement services for and on behalf of a child or children.

13. Defendant Michael Steltzer allowed Defendant Jim Michaels to file a motion on behalf of defendant Angela Darden, an applicant or recipient of child support enforcement services for and on behalf of children. Defendant Michael Steltzer ruled on the legal filing filed by Defendant Jim Michaels, an attorney that initiated legal proceedings at the request of the Missouri division of child support enforcement. Such acts were done in the clear absence of all jurisdiction.

Violation of a Federal Right

14. The State of Missouri participates in the federal aid programs to families, which provides subsistence welfare benefits to needy families. *Social Security Act, 42 U.S.C. §§601-617.*

15. To qualify for the federal funds, the State must certify that it will operate a child support enforcement program that conforms with the numerous requirements set forth in *Title IV-D of the Social Security Act, 42 U.S.C.A. §§ 651-669b.*

16. The State must help families obtain support orders for the benefit of the minor child. *Title IV-D of the Social Security Act, 42 U.S.C.A. §§ 651, 654.*

17. Under a state plan for child support, the state must provide services relating to the modification of child support obligation. *Section 654(20)(A)(4).*

18. Expedited administrative and judicial procedures for modification are the types of procedures required in order to satisfy section 654(20)(A)(4) of 42 U.S. Code § 666 and each State must have in effect laws requiring the use of the foregoing procedures to be consistent with *42 U.S. Code § 666* and with regulations of the Secretary to increase the effectiveness of the program which the State administer under *42 U.S. Code § 666. 42 U.S. Code § 666(a)(2).*

19. Review and adjustment of support orders upon request of the **custodian parent** for modification are the types of procedures required in order to satisfy section 654(20)(A)(4) of 42 U.S. Code § 666 and each State must have in effect laws requiring the use of the foregoing procedures to be consistent with *42 U.S. Code § 666* and with regulations of the Secretary to increase the effectiveness of the program which the State administer under *42 U.S. Code § 666*. *42 U.S. Code § 666(a)(10)*.

20. Review and adjustment of support orders upon request of the non-custodian parent for modification are the types of procedures required in order to satisfy section 654(20)(A)(4) of *42 U.S. Code § 666* and each State must have in effect laws requiring the use of the foregoing procedures to be consistent with *42 U.S. Code § 666* and with regulations of the Secretary to increase the effectiveness of the program which the State administer under *42 U.S. Code § 666*. *42 U.S. Code § 666(a)(10)*.

21. A state must provide the services to children and custodial parents who are not receiving aid payments. *Title IV-D of the Social Security Act, 42 U.S.C.A. §§ 651, 654.*

22. On September 11, 2007, the Honorable Thomas J. Frawley entered an order granting Joint Legal and Physical Custody to John Washington and Angela Darden of minor children, JFW II and WBW.

23. Under the custody order, the two minor children are to live with each parent equally. Monday and Tuesday nights, the two minor children are to reside with John Washington and Wednesday and Thursday nights, the two minor children are to reside with Angela Darden, with alternating three day weekends.

24. John Washington is a custodial parent and may be entitled to support for his minor child, a right granted under *Title IV-D of the Social Security Act*, 42 U.S.C.A. §§ 651, 654.

FACTUAL ALLEGATIONS

25. The Plaintiffs brings the above action for a violation of his constitutional Rights as established by the *Title IV-D of the Social Security Act*, 42 U.S.C.A. §§ 651, 654., the Fifth Amendment of the Constitution of the United States, and the Fourteenth Amendment of the Constitution of the United States.

26. The Court completed a form 14 and calculated a support order in the amount of \$454.00.

27. The original court ordered John Washington to pay \$50.00 a month for summer childcare for both parties.

28. During the summer months, Defendant Angela Darden failed to place the minor children in childcare during the summer months.

29. Defendant Angela Darden never incurred the summer expense of \$600.00 for childcare expense that was to be used for the benefit of both parties.

30. At the time of the support order, Defendant Angela Darden's gross income was \$13,068.00 a year.

31. For the last eight years, Defendant Darden's gross income was in an excess of \$27,000.00 a year.

32. Sometime in 2011, the City of Saint Louis Circuit Attorney Office charged Defendant Angela Darden with assault in the third degree.

33. Plaintiff John Washington entered his appearance as counsel for Defendant Angela Darden.

34. Plaintiff John Washington filed a lawsuit and represented Defendant Angela Darden in an administrative judicial proceeding relating to her being expelled from a nursing program as a result of the mentioned assault in ¶ 32.

35. In April, 2012, the City of Saint Louis Circuit Attorney Office dismissed the charges against Defendant Angela Darden.

36. On July 25, 2012, the Saint Louis Circuit Attorney office filed a Motion for Contempt against Plaintiff John Washington.

37. On December 06, 2012, plaintiff was served with a summons with a returned court date of January 23, 2013 at 1:30 P.M.

38. The Circuit Attorney alleged Plaintiff John Washington had never made a support payment.

39. On January 23, 2013, Marta Tilney entered her appearance as counsel for Missouri Family Support Division.

40. On January 23, 2013, Plaintiff John Washington filed a motion to modify child support.

41. On January 23, 2013, Plaintiff John Washington filed a response to the Motion for Contempt that was filed on July 25, 2012.

42. On January 23, 2013, the cause was continued to March 6, 2013.

43. On March 6, 2013, Defendant Jim Michaels and Defendant Jennifer Joyce filed a motion to dismiss Plaintiff John Washington motion to modify child support.

44. On March 11, 2013, the Honorable Paula Bryant, presiding judge in division 14 recused herself sua sponte and continued the cause to April 19, 2013.

45. On March 18, 2013, the Defendant Steltzer was assigned and the cause was continued to May 6, 2013.

46. On May 6, 2013, the motion to dismiss Plaintiff John Washington motion to modify child support was called, heard, and taken under submission.

47. On May 13, 2013, Defendant Jim Michaels filed a memorandum in support of the motion dismiss and Plaintiff filed a memorandum in opposite of the motion the motion to dismiss.

48. On June 10, 2013, Defendant Michael Steltzer entered an order dismissing Plaintiff John Washington motion to modify child support order.

49. May, 2016, Plaintiff John Washington filed a motion to set aside Defendant Michael Steltzer June 10, 2013 Order.

50. May, 2016, Defendant Jim Michael filed a motion requesting the Court not to set aside Defendant Michael Steltzer June 10, 2013 Order.

COUNT 1
Violation of a Federal Right

51. Plaintiff John Washington re-allege and hereby incorporate by reference the allegations contained in paragraphs 1 through 50 as if fully set forth herein.

52. Plaintiff John Washington, a custodian parent, was deprived of his federal rights in that Defendants Michael Steltzer, Defendant Jennifer Joyce,

Defendant Jim Michael, and Defendant Angela Darden conspired by acting together and interfered with his right to receive support for his two minor children who are in his physical custody.

53. Defendant Jennifer Joyce intentionally created an office policy that denied Plaintiff John Washington direct access to the courts in a pending civil matter and as a result of her conduct, she interfered with Plaintiff's right to file a modification of child support for the benefit of his minor children who reside with him.

54. Defendant Jim Michaels conspired with Defendant Jennifer Joyce, and consent to carrying out the policy of the Circuit Attorney Office of not giving a male custodian parents direct access to the courts in a pending civil matter and willingly interfered with Plaintiff's right to file a modification of child support for the benefit of his minor children who reside with him.

55. Defendant Angela Darden conspired with Jim Michaels and consented to having the Circuit Attorney Office file a motion to dismiss his motion to modify the child support order.

56. Defendant Michael Stelzer conspired with Defendant Jim Michael and agree to violate Plaintiff John Washington federal rights of a modification of child support for the benefit of his minor children who reside with him.

57. Plaintiff John Washington was deprived of his rights and protections through, and including, but not limited to the following ways:

- (i) Defendant Jim Michael, defendant Jennifer Joyce, defendant Michael Stelzer, defendant Angela Darden were, at said times, acting under the color of federal and state law, statute, custom or usage.
- (ii) As a direct and proximate result of defendant Jim Michael, defendant Jennifer Joyce, defendant Michael Stelzer, and defendant Angela Darden conduct and said activities, Plaintiff John Washington has suffered mental anguish, loss of business, the costs and fees.
- (iii) Plaintiff has and will continue to incur attorney's fee and cost as a direct and proximate result of the conduct of defendant Jim Michael, defendant Jennifer Joyce, defendant Michael Stelzer, defendant Angela Darden, and therefore, all defendants should jointly and severally be made to pay plaintiff's attorney's fees and costs.

WHEREFORE, plaintiff prays that this court find that defendants violated plaintiff's rights under 42 U.S.C. § 1983 and grant judgment against defendants,

holding defendants jointly and severally liable for such judgment, judgment against defendants as the court deems reasonable for attorney's fees and cost which plaintiff has incurred, and will continue to incur pursuing this action, and any other relief that the court deems just and appropriate.

COUNT II
ABUSE OF PROCESS AGAINST ALL DEFENDANTS

58. Plaintiff John Washington re-allege and hereby incorporate by reference the allegations contained in paragraphs 1 through 57 as if fully set forth herein.

59. Under Missouri Law, any attorney initiating any legal proceedings at the request of the Missouri division of child support enforcement shall represent the state of Missouri, Department of Social Services, Division of Child Support, and not represent any applicant or recipient of child support enforcement services for and on behalf of a child or children. § 454.513 Missouri Revised Statute.

60. Plaintiff John Washington filed a motion to modify child support order.

61. Defendant Jennifer Joyce created a policy that interfered with Plaintiff John Washington rights as a custodian parent to file a modification of child support by creating a policy that allow her assistant circuit attorney to file a pleading on behave of defendant Angela Darden.

62. Defendant Jennifer Joyce conspired with defendant Jim Michael and both interfered with Plaintiff John Washington rights as a custodian parent to file a modification of child support by filing a pleading on behalf of defendant Angela Darden.

63. Defendant Jim Michael conspired with defendant Michael Stelzer and both interfered with Plaintiff John Washington rights as a custodian parent to file a modification of child support by allowing Saint Louis Circuit Attorney Office to file a pleading on behalf of defendant Angela Darden.

64. Defendant Jim Michael conspired with defendant Angela Darden and both interfered with Plaintiff John Washington rights as a custodian parent to file a modification of child support when Angela Darden consented to the Saint Louis Circuit Attorney Office filing a pleading on her behalf.

65. Any attorney initiating any legal proceedings at the request of the Missouri Division of Child Support Enforcement shall represent the state of Missouri and the Department of Social Services, Division of Child Support **exclusively**. § 454.513 *Missouri Revised Statute*. An attorney/client relationship **shall** not exist between the attorney and any applicant or recipient of child support enforcement services for and on behalf of a child or children. § 454.513 Missouri

Revised Statute. There is no authority entitling Saint Louis Circuit Attorney Office the right to represent or file any filing on behave on Angela Darden.

66. Defendant Jennifer Joyce, defendant Jim Michaels, defendant Angela Darden, and defendant Michael Stelzer conspired and acting together made use of an illegal, improper, and/or perverted use of process that was not neither warranted nor authorized by the process.

67. Defendant Jennifer Joyce, defendant Jim Michaels, defendant Angela Darden, and defendant Michael Stelzer had an improper and/or illegal purpose in engaging in the illegal, improper, and/or perverted use of process.

68. As a result, Plaintiff John Washington was damaged by defendants' abuse of process by, among other things, having less resources that he would otherwise be entitled to have in using for the rearing of his minor children in his custody.

WHEREFORE, Plaintiff John Washington pray that this court finds for an abuse of process against all defendants and grant judgment against all defendants, holding defendants jointly and severally liable for such judgment, judgment against defendants as the court deems reasonable for attorney's fees and cost which plaintiff has incurred, and will continue to incur pursuing this action, and any other relief that the court deems just and appropriate.

**COUNT III
INJUNCTION RELIEF AGAINST
CIRCUIT ATTORNEY JENNIFER JOYCE**

69. Plaintiff John Washington re-allege and hereby incorporate by reference the allegations contained in paragraphs 1 through 68 as if fully set forth herein.

70. As set forth in more detail herein, Missouri Revised Statue § 454.513.2 states, an attorney representing the division in a proceeding in which a child support obligation may be modified shall, whenever possible, notify an applicant or recipient of child support enforcement services of such proceeding if such applicant or recipient is a party to such a proceeding but is not represented by an attorney.

71. Any attorney initiating any legal proceedings at the request of the Missouri Division of Child Support Enforcement shall represent the state of Missouri and the Department of Social Services, Division of Child Support **exclusively**. § 454.513 *Missouri Revised Statute*. An attorney/client relationship **shall** not exist between the attorney and any applicant or recipient of child support enforcement services for and on behalf of a child or children. § 454.513 *Missouri Revised Statute*.

72. The Saint Louis Circuit Attorney Office has a policy to file a motion on behalf of an applicant or recipient of child support enforcement services for and on behalf of a child or children. Such conduct violates Missouri law.

73. Plaintiff respectfully request that this court use its equitable powers to enjoin the Saint Louis Circuit Attorney Office from continuing to represent parents who are applicant or recipient of child support enforcement services.

WHEREFORE, Plaintiff pray for an order ordering the Saint Louis Circuit Attorney Office not to file any filings on behalf of the parent applicant or recipient of child support enforcement services of a child or children.

Respectfully submitted,

/s/ John Washington

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